

May 27, 2014

MINUTES of the a Regular Meeting of the Mayor and Board of Council of the Town of Secaucus, County of Hudson, State of New Jersey held on the 27th day of May, 2014 at 7:00 P.M. in the Council Chambers of the Municipal Government Center, Secaucus, NJ.

Present: Councilmembers: Michael Gonnelli  
Gary Jeffas  
Robert Costantino  
William McKeever  
Susan Pirro  
James Clancy  
Mark Dehnert

#### PLEDGE OF ALLEGIANCE

An award was given to Hudson County Sheriff's Office Michael Negron and his Police Dog, Sampson for being of service to the Town of Secaucus in apprehending a criminal.

The following statement was read by Town Clerk Michael Marra:

"Adequate notice for this meeting, as required by the Open Public Meetings Act, has been provided by the filing of the notice of Meetings with the Municipal Clerk, the posting of said notice on the official bulletin board in the Municipal Building, and the delivery of same to the Secaucus Home News on December 26, 2013".

This body wishes to advise you that in accordance with N.J.A.C. 5:23-11.1, et seq. of the Indoor Air Quality Standards and Procedures for Buildings Occupied by Public Employees, smoking anywhere in this public building is prohibited by law.

The first item on the agenda is as follows:

The following ordinance was read for introduction: No. 2014-18

#### AN ORDINANCE AMENDING CHAPTER 54 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "BICYCLES"

Councilwoman Pirro moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Dehnert.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli  
NAYS: None  
ABSENT: None Motion carried.

The following ordinance was read for introduction: No. 2014-19

#### AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "RECREATION, DEPARTMENT OF"

Councilman Costantino moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Jeffas.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli  
NAYS: None  
ABSENT: None Motion carried.

The following ordinance was read for introduction: No. 2014-20

#### AN ORDINANCE AMENDING CHAPTER 30, OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED "RECREATION, DEPARTMENT OF"

Councilwoman Pirro moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli  
NAYS: None  
ABSENT: None Motion carried.

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The following ordinance was read for introduction: No. 2014-21

**AN ORDINANCE AMENDING CHAPTER 127 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED  
"VEHCILES AND TRAFFIC"**

Councilman Jeffas moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilman McKeever.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli

NAYS: None

ABSENT: None Motion carried.

The following ordinance was read for introduction: No. 2014-22

**AN ORDINANCE AMENDING CHAPTER 32 OF THE CODE OF THE TOWN OF SECAUCUS ENTITLED  
"SALARIES AND COMPENSATION"**

Councilman Costantino moved that the foregoing ordinance be introduced and passed on first reading, seconded by Councilwoman Pirro.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli

NAYS: None

ABSENT: None Motion carried.

**CONSENT AGENDA-RESOLUTIONS**

All matters listed under Consent Agenda are considered to be routine by the Mayor and Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

The following resolution was read: No. 2014-182

**1 TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION**

WHEREAS, Edward McClure is an employee of the Town of Secaucus who is unable to work presently as an Animal Control Officer in the Department of Public Works due to personal illness as per documents submitted to the Town of Secaucus;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Edward McClure be and is hereby approved to be on Official Leave of Absence due to illness, without pay, effective May 19, 2014.

The following resolution was read: No. 2014-183

**RESOLUTION AUTHORIZING AND APPROVING THE EXECUTION OF CERTIFICATES AND ASSURANCES  
FOR NEW JERSEY TRANSIT AND THE FEDERAL TRANSIT ADMINISTRATION RELATED  
TO THE NEW JERSEY TRANSIT COMMUNITY SHUTTLE BUSES**

WHEREAS, the Town operated vehicles through NJ Transit from a Federal Transit Administration ("FTA") grant; and

WHEREAS, NJ Transit must certify annually to the FTA that various applicable statutes, rules and regulations are being complied with by both NJ Transit and its grant sub recipients, such as the Town; and

WHEREAS, in order for NJ Transit to its certification, and in order for the Town to continue to operate vehicles provided by NJ Transit, the Town must provide annual certifications and assurances to NJ Transit;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Secaucus authorized the Town Administrator and the Town Attorney to make all necessary certifications and assurances to bind the Town's compliance and all relevant Federal statutes, regulations and directives.

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The following resolution was read:

No. 2014-184

**TA-2014-SECAUCUS TOWN-00054**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE TRANSPORTATIONALTERNATIVES PROGRAM**

NOW, THEREFORE, BE IT RESOLVED, that the Council of the Town of Secaucus formally approves the grant application for the above state program;

BE IT FURHTER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identities as TA-2014- Secaucus Town-00054 to the New Jersey Department of Transportation on behalf of the Town of Secaucus.

BE IT FURHTER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the agreement on behalf of the Town of Secaucus and that their signatures constitute acceptance of the terms and conditions of grant agreement and approve execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council on his27th day of May, 2014.

The following resolution was read:

No. 2014-185

**1A RESOLUTION TO AUTHORIZE PARTICIPATION IN THE NEW JERSEY STATE HEALTH BENEFITS PROGRAM ACT OF THE STATE OF NEW JERSEY FOR LOCAL PRESCRIPTION DRUG COVERAGE**

BE IT RESOLVED:

1) The Town of Secaucus, a participating employer in the Health Benefits Program, hereby elects to participate in the Local Prescription Drug Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.25 et seq.) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission.

2) As a participating employer we will remit to the State Treasury all premiums on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.

3) We hereby appoint Roxanne Paciga to act as Certifying Officer in the administration of this program.

4) This resolution shall take effect immediately and coverage shall be effective as of June 1, 2014 or as soon thereafter as it may be effectuated pursuant to the statutes and regulations.

The following resolution was read:

No. 2014-186

**RESOLUTION APPROVING TAX OVERPAYMENT REFUND**

WHEREAS, it has been determined by the Tax Collector that the taxpayers for the property indicated on the attached schedule "A" totaling \$50,712.32 are entitled to tax overpayment refund(s) for the 2<sup>nd</sup> quarter 2014; and

WHEREAS, it is the desire of the Mayor and Council to have these overpayments returned to the respective taxpayers and or their agents;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the requested overpayment refunds be made.

The Tax Collector is hereby authorized to make overpayment refunds and/or apply these overpayments to taxpayers future quarters as appropriate in the amount shown to the taxpayers as appears on Schedule "A".

BE IT FUTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector and Chief Financial officer.

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The following resolution was read:

No. 2014-187

RESOLUTION APPROVING TAX COURT OF NEW JERSEY REDUCTIONS

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of the 2009 tax reductions granted by the Tax Court of New Jersey.

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the tax cancellations which is set forth along the blocks and lots of the taxpayers.

NOW, THEREFORE, BEIT RESOLVED, by the Mayor and Council of the Town of Secaucus that the requested Tax Cancellations be made:

TAX REDUCTIONS GRANTED BY THE TAX COURT OF NEW JERSEY

Block	Lot	Qualifier	Address	Amount
57	11		777 Secaucus Road	\$16,052.48

The following resolution was read:

No. 2014-188

RESOLUTION APPROVING TAX COURT OF NEW JERSEY REDUCATIONS]

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of the 2010 tax reductions granted by the Tax Court of New Jersey.

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the tax cancellations which is set forth along the blocks and lots of the taxpayers.

NOW, THEREFORE, BEIT RESOLVED, by the Mayor and Council of the Town of Secaucus that the requested Tax Cancellations be made:

TAX REDUCTIONS GRANTED BY THE TAX COURT OF NEW JERSEY

Block	Lot	Address	Amount
5	7.02	1000 New Castle Road	\$64,653.13
10	2	1125 Castle Road	21,174.57
52	1.01	150 Meadowland Parkway (12/14)	118,137.79
57	11	777 Secaucus Road	<u>16,269.28</u>
			\$220,237.77

The following resolution was read:

No. 2014-189

RESOLUTION APPROVING TAX COURT OF NEW JERSEY REDUCATIONS

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of the 2011 tax reductions granted by the Tax Court of New Jersey.

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the tax cancellations which is set forth along the blocks and lots of the taxpayers.

NOW, THEREFORE, BEIT RESOLVED, by the Mayor and Council of the Town of Secaucus that the requested Tax Cancellations be made:

TAX REDUCTIONS GRANTED BY THE TAX COURT OF NEW JERSEY

Block	Lot	Address	Amount
5	7.02	1000 New Castle Road	\$94,343.54
10	2	1125 Castle Road	34,656.66
52	1.01	150 Meadowland Parkway (12/14)	112,969.48
57	11	777 Secaucus Road	<u>17,178.89</u>
			\$259,148.57

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The following resolution was read:

No. 2014-190

**RESOLUTION APPROVING TAX COURT OF NEW JERSEY REDUCATIONS**

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of the 2012 tax reductions granted by the Tax Court of New Jersey.

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the tax cancellations which is set forth along the blocks and lots of the taxpayers.

NOW, THEREFORE, BEIT RESOLVED, by the Mayor and Council of the Town of Secaucus that the requested Tax Cancellations be made:

**TAX REDUCTIONS GRANTED BY THE TAX COURT OF NEW JERSEY**

Block	Lot	Address	Amount
5	7.02	1000 New Castle Road	\$90,387.47
10	2	1125 Castle Road	13,497.75
52	1.01	150 Meadowland Parkway (12/14)	77,611.12
57	11	777 Secaucus Road	<u>17,423.96</u>
			\$198,920.30

The following resolution was read:

No. 2014-191

**RESOLUTION APPROVING TAX COURT OF NEW JERSEY REDUCATIONS**

WHEREAS, the Tax Collector of the Town of Secaucus has determined that action is required as a result of the 2013 tax reductions granted by the Tax Court of New Jersey.

WHEREAS, the Tax Collector has certified to the foregoing as well as to the amount of the tax cancellations which is set forth along the blocks and lots of the taxpayers.

NOW, THEREFORE, BEIT RESOLVED, by the Mayor and Council of the Town of Secaucus that the requested Tax Cancellations be made:

**TAX REDUCTIONS GRANTED BY THE TAX COURT OF NEW JERSEY**

Block	Lot	Address	Amount
5	7.02	1000 New Castle Road	\$97,091.69
10	2	1125 Castle Road	15,783.60
52	1.01	150 Meadowland Parkway (12/14)	41,311.60
57	11	777 Secaucus Road	<u>25,708.48</u>
			\$179,895.37

The following resolution was read:

No. 2014-192

**RESOLUTION TO BILL FOR SENIOR CITIZEN DEDUCTION DISALLOWED FOR 2013**

WHEREAS, the following homeowners received a \$250.00 Senior Citizen Tax Deduction for the year 2013; and

WHEREAS, the following properties were with sold of the homeowners exceeded the \$10,000 income requirements to qualify for the senior Citizen Tax Reduction for the year 2013.

NOW, THEREFORE, BE IT RESOLVED, that the tax COlelctor is hereby authorized to disallow the 2013 Senior Deductions and bill the homeowners for the following amounts.

BLOCK	LOT	QUAL.	NAME & ADDRESS	AMOUNT
21	9	C0091	Needham, Stephen/ 91 Harbor Key	\$250.00
21	15	C0511	Zhu, Alan/511 Harmon Cove Towers	91.78
36	16		Lam, John & Doris/ 178 Louis St	45.89
108	1		Ortizzo, Carmella/800 8 <sup>th</sup> St.	250.00
108	17		Hatton, Dawn/815 Hudson Ave	178.08
130	25		202 Front St.LLC/202 Front St.	39.04
167	10		269 Born LLC/269 Born St.	65.75
186	11		Hottendorf, Joseph/290 Hagen Place	23.97
191.01	4		Peko, Angela/16 Village Pl.	250.00

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215                      27                      Kashian, Julia.E Sasso/108 Franklin St    115.07

The following resolution was read:                      No. 2014-193

**RESOLUTION TO ADJUST 4<sup>TH</sup> QUARTER 2014 TAX BILL FOR VETERANS DEDUCTION ALLOWED**

WHEREAS, the following homeowners filed a Veteran Application for a deduction in the amount of \$250.00 and was approved by the Tax Assessor for the year 2014; and

WHEREAS, the deduction was not listed in the 2014 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4<sup>th</sup> quarter Final Bill for the \$250.00 deduction.

BLOCK	LOT	NAME & ADDRESS	AMOUNT
191.01	6	Susberich, Peter 12 Village Pl.	\$250.00
196	51	Joan Davis 162 Huber St.	\$250.00

The following resolution was read:                      No. 2014-194

**RESOLUTION TO ADJUST 4<sup>TH</sup> QUARTER 2013 TAX BILL VETERAN DEDUCTION ALLOWED**

WHEREAS, the following homeowners filed a Veteran Application for a deduction in the amount of \$250.00 and was approved by the Tax Assessor for the year 2013; and

WHEREAS, the deduction was not listed in the 2013 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector is hereby authorized to adjust the 4<sup>th</sup> quarter Final Bill for the \$250.00 deduction.

Block	Lot	Qual.	Name & Address	Amount
21	9	C0028	Canavari/Eugene/28 Marina Key	\$250.00
21	15	C2438	Raferty, William/2438 Harmon Cove Towers	250.00
193	8		Hartung, Robert/1079 Farm Road	250.00
198	8		Goglucci, Richard/1047 Poplar St.	<u>250.00</u>
				\$1000.00

The following resolution was read:                      No. 2014-195

**RESOLUTION TO ADJUST 4<sup>TH</sup> QUARTER TAX BILL FOR SENIOR CITIZEN DEDUCTIONS  
DISALLOWED**

WHEREAS, the following homeowners were disallowed the \$250.00 Senior Deduction for the Senior Citizen Tax Deduction for the year 2014; and

WHEREAS, the deduction was listed in the 2014 Tax Duplicate.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to disallow the 2014 Senior Deductions and adjust the 4<sup>th</sup> Quarter taxes for the following amounts;

BLOCK	LOT	QUAL	NAME & ADDRESS	AMOUNT
21	9	c0091	Needham, Stephen/91 Harbor Key (will exceed \$10,000 income requirement)	\$250.00
174	15		Jengo, Evelyn(s) & Aimee/29 Pikeview Terr. (Evelyn deceased 7/2/13)	<u>250.00</u> 500.00

The following resolution was read:                      No. 2014-196

**RESOLUTION TO ADJUST 4<sup>TH</sup> QUARTER TAX BILL FOR SENIOR  
CITIZEN/DISABLED PERSON DEDUCTION ALLOWED**

WHEREAS, the following homeowners filed a Property Tax Deduction Application for a deduction in the amount of \$250.00 and was approved by the Tax Assessor for the year 2014; and

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WHEREAS, the deduction was not listed in the 2014 Tax duplicate.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is hereby authorized to adjust the 4<sup>th</sup> quarter Final Bill for the \$250.00 deduction.

BLOCK	LOT	NAME & ADDRESS	AMOUNT
78	5	Hicks, Edward (D) 692 4 <sup>th</sup> St.	\$250.00
105	15	Blanco/Mariana(S) 769 7 <sup>th</sup> St.	<u>\$250.00</u> \$500.00

The following resolution was read: No. 2014-197

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus upon the recommendation of Senior & Social Services Director Lisa Snedeker, that Angelica Mastropierro is hereby appointed to the position of Clerk in the Senior Center, part Time Summer, effective Monday May 19, 2014 with a salary of \$10.00 per hour.

The following resolution was read: No. 2014-198

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that Elisa Hitchcock is hereby appointed to the position of Administrative Clerk-Court, effective Wednesday May 28, 2014 at the salary of \$26,500 per annum.

The following resolution was read: No. 2014-199

RESOLUTION RE: AUTHORIZING SETTLEMENT OF  
SINAI ASSOCIATES AND PENHORN AVENUE ASSOCIATES, INC.  
V. TOWN OF SECAUCUS  
BLOCK S0046, LOT 2.01, BLOCK S0045, LOT 1.04, AND BLOCK S0046, LOT 1  
TAX COURT OF NEW JERSEY  
DOCKET NO: 001224-2011

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WHEREAS, Sinai Associates and Penhorn Avenue Associates, Inc. is the owner/taxpayer of property located at 700 Penhorn Avenue (Block S0046, Lot 2.01), 701 Penhorn Avenue (Block S0045, Lot 1.04), and 900 Penhorn Avenue (Block S0046, Lot 1), on the Tax Assessment Map for the Town of Secaucus, who filed an appeal against the Town of Secaucus, with the Tax Court of New Jersey, for tax year 2011, under Docket Number 001224-2011; and

WHEREAS, the Town has completed full discovery and conducted extensive negotiations with plaintiff's attorney; and

WHEREAS, the Mayor and Council agree that it is in the best interest of the Town to settle this tax appeal in accordance with the terms of the Settlement Agreement and Release attached hereto; and

WHEREAS, the Town Tax Assessor, Lorraine Carr, has reviewed the above settlement proposals and has agreed to same and has joined in with the Town Counsel, Chasan Leyner & Lamparello, PC, in recommending to the governing body that the settlement is fair and equitable;

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NOW, THEREFORE, BE IT RESOLVED that the Town Counsel, Chasan Leyner & Lamparello, PC, be and is hereby authorized to enter into a Settlement Agreement and Release (attached hereto) agreeing to settle the tax appeal filed by Sinai Associates and Penhorn Avenue Associates, Inc. is, pertaining to the above-captioned matter; and

BE IT FURTHER RESOLVED that a true copy of this Resolution be forwarded to the Tax Assessor, to Chasan Leyner & Lamparello, PC, Town Counsel, and the Town Tax Collector.

The following resolution was read:

No. 2014-200

**RESOLUTION AUTHORIZING SALE OF VEHICLES AND EQUIPMENT**

WHEREAS, the Town wishes to auction off vehicles and/or equipment that are no longer needed for public use; and

WHEREAS, the sale is being conducted pursuant to Local Finance Notice 2008-9.

NOW, THEREFORE, BE IT RESOLVED, that the following vehicles and equipment shall be put up for auction at the following minimum bid prices:

<u>Equipment</u>	<u>Minimum Bid</u>
1) 1999 GMC Bus VIN# 1GDHG31F5X1058060	\$500.00
2) 1993 Dodge Utility Truck VIN# 1B6ME3657PS247249	\$500.00
3) Two (2) Walker Grass Cutters	\$250.00 each
4) Misc. Auto Parts	\$100.00
5) Wrestling Mats	\$500.00

BE IT FURTHER RESOLVED, that the auction of these vehicles shall occur online on the auction site govdeals.com.

BE IT FURTHER RESOLVED, that the auction for the 1999 GMC Bus, the two (2) Walker Grass Cutters, the Miscellaneous Auto Parts and the Wrestling Mats will start on Thursday, June 5, 2014 and end on Monday, June 16, 2014, at 6:00pm.

BE IT FURTHER RESOLVED, that the auction for the 1993 Dodge Utility Truck will start on Friday, June 6, 2014 and end on Monday, June 16, 2014, at 6:00pm.

BE IT FURTHER RESOLVED, that all property will be sold in an "as-is" condition.

The following resolution was read:

No. 2014-201

**TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION**

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Town Clerk is hereby authorized to advertise for and receive bids for the following projects:

- 1) Hudson Avenue from Front Street to Flanagan Way
- 2) 2014 State Aid Project-Luhmann Terrace
- 3) Clarendon Street from 6<sup>th</sup> St to the end of 9<sup>th</sup> Street from Front to Clarendon Street
- 4) Replacement of Concrete slabs at DPW Garage
- 5) Clarendon Softball/Little League Field Construction



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The following resolution was read:

No. 2012-202

**RESOLUTION AWARDING CONTRACT FOR DRAINABLE IMPROVEMENTS TO 721 GOLDEN AVENUE**

WHEREAS, the Mayor and Council of the Town of Secaucus determined that there was a need for Drainage Improvements to 721 Golden Avenue; and

WHEREAS, the Engineering firm Remington, Vernick & Arango solicited for quotes on this project; and

WHEREAS, three quotes were received by:

Company	Amount
1)D&L Paving Contractors	\$26,995.00
2)J.A. Alexander, Inc	\$39,200.00
3)Marini Brothers Constr. Co. Inc.	\$74,640.00

WHEREAS, D&L Paving has submitted the price of \$26,995.00 and has been determined to be the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus hereby award the contract for Drainage Improvements to 721 Golden Avenue to D&L Paving Contractors at an amount not to exceed \$26,995.00.

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk are hereby authorized to execute any documents for this project.

The following resolution was read:

No. 2014-203

**RESOLUTION APPROVING A SHARED SERVICES AGREEMENT  
WITH THE HUDSON REGIONAL HEALTH COMMISSION**

WHEREAS, pursuant to the Uniform Shared Services and Consolidation Act at N.J.S.A. 40A:65-4, a local governing unit may enter into an agreement with any other local unit to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, the Commission is an association of municipalities of Hudson formed under the authority of N.J.S.A. 26:3-83 et seq. to furnish its member municipalities with public health services; and

WHEREAS, the Commission pursuant to the authority granted by N.J.S.A. 26:2C-22 has adopted an ordinance entitled "Air Pollution Control Code of the Hudson Regional Health Commission", hereafter called "Ordinance"; and

WHEREAS, the Ordinance requires the registration by owners of air contamination sources operating within the jurisdiction of the Commission which registration is to be filed at the offices of the Commission located in Secaucus, New Jersey; and

WHEREAS, pursuant to the Air Pollution Control Act N.J.S.A. 26:2C-1 et seq. owners who fail to registrar air contamination sources pursuant to the requirements of the Ordinance are subject to fines and penalties; and

WHEREAS, pursuant to N.J.S.A. 26:3-93 Ordinances of the Commission may be enforced by and in the name of the Commission by proceedings instituted and prosecuted in a Court having jurisdiction of such proceedings in the region; and

WHEREAS, the Commission is desirous of utilizing the Secaucus Municipal Court which has jurisdiction as the venue for prosecution of violations under the Ordinance; and

WHEREAS, Secaucus and the Commission are desirous of providing for distribution of the fines and penalties generated by prosecution of ordinance violations in Secaucus Municipal Court pursuant to N.J.S.A. 40A:65-1 et seq.; and

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WHEREAS, Secaucus, by and through this resolution, and the Commission, through a resolution by its governing board, mutually agree:

1. The Commission shall, for the term of this Agreement, institute and prosecute violations of the Ordinance in the Municipal Court of the Town of Secaucus.
2. Secaucus shall collect all fines associated with the violations of the Ordinance. Secaucus shall keep as revenues, fifty percent (50%) of the penalties or fines collected.
3. Secaucus agrees that the other fifty percent (50%) of the penalties or fines collected with regard to violations of the Ordinance prosecuted in the Municipal Court of the Town of Secaucus shall be paid to the Commission.
4. The Commission will provide, at its cost and expense, all monies necessary to pay counsel to prosecute all Ordinance violations and, when required Secaucus shall provide the monies necessary to pay a public defender to appear in any matter which is the subject of this Agreement.
5. Pursuant to NJSA 40A:65-7, the term of this Agreement shall be from June 1, 2014 to May 31, 2024 and may be extended for further period of ten (10) years upon mutual agreement by the governing bodies of Secaucus, and the Commission. Either party may, at any time, cancel this Agreement upon sixty (60) days written notice to the other party.
6. This Agreement may be amended from time to time by the mutual consent of the governing bodies of Secaucus and the Commission.
7. Payments due to the Commission by Secaucus pursuant to this Agreement shall be made on a quarterly basis beginning as soon as practicable after both parties have passed resolutions.

WHEREAS, this Agreement is not subject to the provisions of "Pay to Play" inasmuch as it is an agreement under the Uniform Shared Services and Consolidation Act.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus, that

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Governing Body hereby authorizes the Mayor or his lawfully appointed designee, to execute any and all documents and take any and all actions necessary to complete and realize the intent and purpose of this resolution.
3. The Town of Secaucus agrees to enter into a Shared Services Agreement with the Commission as outlined above.
4. This resolution shall take effect immediately.

The following resolution was read:

No. 2014-204

**RESOLUTION RE: RETIREMENT OF CHIEF OF POLICE**

WHEREAS, the Town of Secaucus has learned that Dennis Corcoran will retire as Chief of Police effective July 1, 2014; and

WHEREAS, the Town is obligated to pay Chief Corcoran for accumulated sick and/or vacation time; and

WHEREAS, the Town has the option, via Ordinance, to pay any full-time employee of the Town who is a non-member of a bargaining unit, and who is entitled to a payout for accumulated sick/and or vacation time upon retirement in an amount

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greater than \$25,000.00 via five (5) equal annual installments beginning on the effective date of the employee's retirement.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Secaucus hereby invokes that option and resolved to pay Chief Corcoran for his accumulated time in five (5) equal annual installments beginning on July 1, 2014 the effective date of Chief Corcoran's retirement.

The following resolution was read:

No. 2014-205

**RESOLUTION RE: CHIEF OF POLICE**

WHEREAS, the Town of Secaucus has determined that Chief of Police Dennis Corcoran has accumulated an enormous amount of information and knowledge and experience regarding the operations of the Secaucus Police department and Police related issues which are unique to the Town of Secaucus; and

WHEREAS, the Chief shall retire effective July 1, 2014 and has indicated a willingness to remain as a consultant for the Town after a brief period of disengagement; and

NOW, THEREFORE, BE IT RESOLVED, that the Chief Corcoran be retained as a consultant to the Town, effective July 1, 2015 and that the agreement between the Chief and the Town will be governed by the Attached Contract.

The following resolution was read:

No. 2014-206

**RESOLUTION AUTHORIZING APPOINTMENT AWARD OF VARIOUS  
PROFESIONAL SERVICES CONTRACTS**

WHEREAS, the Mayor and Council received responses to its Fair & Open Solicitation Process for Professional and other services; and

WHEREAS, after review and discussion of such responses the Mayor and Council has determined to whom contracts should be awarded.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Secaucus that contracts for Professional and other services be awarded as set forth below subject to certification of funds available by the Chief Financial Officer.

BE IT FURHTER RESOLVED, that the Mayor and Town Clerk shall be authorized to execute contract for Professional and other services as follows:

1. Town Veterinarian
  - a. Animal Hospital and Laser Surgery Center pursuant to their proposal in an amount not to exceed \$20,000.00
  - b. Secaucus Animal Hospital pursuant to their proposal in an amount not to exceed \$20,000.00.

Financial officers  
Certification attached.

The following resolution was read:

No. 2014-208

**TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION**

WHEREAS, the Mayor and Council of the Town of Secaucus authorized the Town of Clerk to advertise for and receive bids for Internet Development/Maintenance Services; and

WHEREAS, no bids were received for this service.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk of the Town of Secaucus is hereby authorized to re-advertise for and receive bids for Internet Development/Maintenance Services.

May 27, 2014

The following resolution was read:

No. 2014-209

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Governing Body of the Town of Secaucus, County of Hudson, State of New Jersey, that pursuant to the recommendation of John Voli, Recreation Director of the Town of Secaucus, the following person is hereby appointed as an Assistant Manager for th3e Secaucus Recreation Center, effective May 27, 2014 at the following hourly wages:

Secaucus Recreation Center

<u>Assistant Manager</u>	<u>Hourly Rate</u>
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Melissa Kowalewski	\$12.00
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The following resolution was read:

No. 2014-210

RESOLUTION RE: TOWN CONCESSION STAND CONTRACT

WHEREAS, the Town of Secaucus advertised for bids to provide concession services for the Town of Secaucus; and

WHEREAS, the Town of Secaucus received only one bid from DMD Concessions, Inc.;

NOW, THEREFORE, BE IT RESOLVED, that DMD Concessions, Inc., be awarded a contract to provide concession services to the Town of Secaucus for one year at the hourly rate quoted by DMD Concession, Inc., in its bid; and

IT IS FURHTR RESOLVED, that the specifications, bid and this Resolution shall constitute the requisite contract in this matter.

The following resolution was read:

NO. 2014-212

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

WHEREAS, the Town of Secaucus advertised for and received bids for Printing Services; and

WHEREAS, upon further review, the Town believes that the specifications ere deficient because they did not reflect all the required work.

NOW, THEREFORE, BE IT RESOLVED, that any and all bids received for this project are hereby rejected.

BE IT FURTHER RESOLVED, that the Town Administrator shall insure that amended specifications shall be prepared and re-advertised as promptly as possible.

The following resolution was read:

No. 2014-213

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Town Clerk is hereby authorized to advertised for and receive bids for Vending Machine Maintenance, Supply and Repair Services.

The following resolution was read:

No. 2014-214

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus that the Town Clerk is authorized to advertise for and receive bids for a Garbage Truck with 6X4 Chassis with American Roll-Off Hoist, 22 Foot Platform, V-Box Spreader, Snow Plow, and Centralized Lube System.

The following resolution was read:

No. 2014-216

RESOLUTION AUTHORIZING THE INSERTION OF A SPECIAL ITEM OF REVENUE AND AN APPROPRIATION OF EQUAL AMOUNT

May 27, 2014

Council offered and moved adoption of the following resolution:

WHEREAS, THE N.J.S.A, 40A-4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or municipality when such item have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Secaucus hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$25,156.76 which item is now available as revenue from:

STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
2014 CLEAN COMMUNITIES GRANT

Pursuant to the provisions of the statute and

BE IT FURTHER RESOLVED, that a like sum of \$25,156.76 be and the same thereby appropriated under the following caption

2014 CLEAN COMMUNITIES GRANT

RESOLVED that two certified copies of this resolution be filed with the Division of Local Government Services.

The following resolution was read:

No. 2014-217

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

BE IT RESOLVED, by the Mayor and Council of the Town of Secaucus County of Hudson, State of New Jersey, pursuant to the recommendation of David Drumeler, Town Administrator, that an amendment to PBA Local #84 with regard to off-duty traffic control minimum payment, effective May 1, 2014 is hereby authorized; and

BE IT FURTHER RESOLVED, that the Mayor and/or Town Administrator are authorized to sign same.

Councilman Jeffas moved that the foregoing resolutions on the Consent Agenda be approved, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli

NAYS: None

ABSTAIN: Clancy on 2014-143

ABSENT: None

Motion carried.

The following resolution was read:

No. 2014-207

TOWN OF SECAUCUS, COUNTY OF HUDSON  
RESOLUTION

WHEREAS, on May 24 and May 25, 2014, Met Life Stadium and Cornerstone Properties hosted the Electric Daisy Carnival on New Jersey Sports Authority Property; and

WHEREAS, this event featured electronic dance music, concerts and other related entertainment over this 2-day period; and

WHEREAS, on the 2<sup>nd</sup> day of the event, the music and other related noise from the events exceeded more than 90 decibels; and

WHEREAS, the allowable decibel limit for an event such as this is 65 decibels; and

WHEREAS, this excessive noise disturbed the residents of Secaucus' quiet enjoyment of their Memorial Day weekend; and

May 27, 2014

WHEREAS, the Police Department and Mayor's Office were inundated with complaints regarding this excessive noise;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby authorize the Police Department, Construction Department, Hudson Regional Health Commission, and any other relevant offices/agencies to take any action necessary and issue any relevant summonses with regard to this conduct in an effort to prevent any event such as this which disturbs the residents of Secaucus in the future.

Mayor Gonnelli offered some explanation as to the origin of the noise and the action that has to be taken.

Councilwoman Pirro moved to adopt the foregoing resolution, seconded by Councilman Jeffas.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli

NAYS: None

ABSENT: None

Motion carried.

The following resolution was read:

No. 2014-211

**RESOLUTION SUPPORTING CHILDHOOD CANCER  
AWARENESS WEEK IN THE TOWN OF SECAUCUS**

WHEREAS, the Town of Secaucus values the health and well-being of all our residents, and supports awareness of the special needs of children suffering from cancer as well as the efforts of organizations and medical institutions presently at the forefront of childhood cancer research and other advances; and

WHEREAS, this tragic disease is detected in nearly 15,000 US children between infancy and age 15, and while today's research and treatment have extended and positively impacted many of their lives, thus increasing the number of long-term survivors, it is essential that we work together to ensure that this trend continues; and

WHEREAS, founded 20 ago by Steven Firestein, a member of the philanthropic Max Factor family, the American Cancer Fund for Children, Inc. and sister organization, Kids Cancer Connection, Inc., are dedicated to helping children with cancer and their families; and

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection provide vital patient psychosocial services to children undergoing cancer treatment at The Bristol-Myers Squibb Children's Hospital at Robert Wood Johnson University Hospital in New Brunswick, Children's Hospital of New Jersey at Newark Beth Israel Medical Center, and other participating hospitals;

WHEREAS, the American Cancer Fund for Children and Kids Cancer Connection also sponsor nationwide Courageous Kid recognition award ceremonies and hospital celebrations in honor of a child's determination and bravery to fight the battle against childhood cancer; and

NOW, THEREFORE, BE IT RESOLVED, on this day, May 27, 2014, I, Michael J. Gonnelli, Mayor, and the Town Council of Secaucus, County of Hudson, State of New Jersey do hereby resolve that the week of June 15<sup>th</sup> to June 21<sup>st</sup> will be observed as Childhood Cancer Awareness Week in the Town of Secaucus.

Councilwoman Pirro moved to adopt the foregoing resolution, seconded by Councilman Dehnert.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli

NAYS: None

ABSENT: None

Motion carried.

The following resolution was read:

No. 2014-115

**RESOLUTION URGING THE FUNDING OF  
TAX SHARING IN THE FISCAL YEAR 2014 - 2015 STATE BUDGET**

WHEREAS, more than 88% of the Town of Secaucus is within the jurisdiction of the New Jersey Meadowlands Commission; and

May 27, 2014

WHEREAS, since 1973, the Town of Secaucus has contributed in excess of \$71,000,000 for tax sharing; and

WHEREAS, in fiscal year 2013 - 2014, the State of New Jersey funded approximately 80% of the municipal contributions to the tax sharing fund; and

WHEREAS, this funding was not included in the State's fiscal year 2014 - 2015 budget;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby request that funding in the amount of \$7,300,000 be restored to the State budget for fiscal year 2014 - 2015;

NOW THEREFORE, BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to our State representatives.

Councilwoman Pirro moved to adopt the foregoing resolution, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli

NAYS: None

ABSENT: None

Motion carried.

PAYMENT OF CLAIMS

Councilwoman Pirro moved that the following Salary Vouchers and Claims Fund Register be approved, seconded by Councilman McKeever.

Town of Secaucus Payroll Acct. w/ending 5/9/14		\$415,683.58
Adm. & Exec	10,040.54	
Mayor & Council	10,504.71	
Municipal Clerk	7,995.83	
Legal Dept.	000.00	
Treasurer	18,004.27	
Tax Assessor	6,014.96	
Tax Collector	5,196.16	
Municipal Court	19,459.27	
Engineering	000.00	
Community Shuttle Bus	2,538.55	
Pub. Bldgs. & Grds.	31,868.82	
Off. Of Inspect.	8,178.77	
Planning Board	58.71	
Bd. Of Adjustments	58.91	
Public Defender	000.00	
Comm. & Security Adm	6,766.53	
Fire Department	000.00	
Police Dept.	308,205.97	
Construction	14,377.88	
School Cross Grds.	13,962.57	
Office of Emergency Man.	576.92	
Unif. Fire Safety Off.	3,877.20	
Rd. Repair & Maint.	121,729.23	
Sewer System	438.15	
Recycling Coord.	6,440.51	
Bd. of Health	5,137.80	
Mosquito Control	00.00	
Social Services	12,218.13	
Pks. & Play Grds.	285.60	
Supv. Of Play Act.	40,597.87	
Rec. Activities	000.00	
Social Security	32,589.74	
Pool Oper.	2,930.38	
Grant Fund (OEM)	000.00	
CDBG	000.00	
Town of Secaucus Tax Escrow Acct. w/ending 5/9/2014		\$242,062.13
Town of Secaucus Payroll Acct. w/ending 5/16/2014		\$416,429.31
Adm. & Exec	11,781.29	
Mayor & Council	1,523.08	

May 27, 2014

Municipal Clerk	11,078.70	
Legal Dept.	000.00	
Treasurer	18,491.50	
Tax Assessor	6,037.65	
Tax Collector	5,196.16	
Municipal Court	15,254.96	
Engineering	000.00	
Community Shuttle Bus	2,286.06	
Pub. Bldgs. & Grds.	32,372.27	
Off. Of Inspect.	7,655.03	
Planning Board	64.03	
Bd. Of Adjustments	158.91	
Public Defender	000.00	
Comm. & Security Adm.	6,820.47	
Fire Department	000.00	
Police Dept.	316,144.93	
Construction	14,111.19	
School Cross Grds	14,082.01	
Office of Emergency Man.	576.92	
Unif. Fire Safety Off.	6,932.48	
Rd. Repair & Maint.	120,197.41	
Sewer System	442.08	
Recycling Coord.	6,088.33	
Bd.of Health	4,776.80	
Mosquito Control	000.00	
Social Services	18,078.20	
Fire Department	000.00	
Pks. & Play Grds.	326.40	
Supv. Of Play Act.	41,058.29	
Rec. Activities	000.00	
Social Security	32,427.28	
Pool Oper.	3,315.50	
Grant Fund (OEM)	000.00	
CDBG	000.00	
Town of Secaucus Tax Escrow Acct. w/ending 5/19/2014		\$248,421.34

Total Amount Claims      Check No.42134-42378      \$2,895,816.77

\$1,596.22

Recreation On-Line      Check No. 1069-1070      \$18,259.22

Note: Current and Trust Account checks are now part of the Total amount of Claims.

All Remington, Vernick & Arango bills were pulled.

AYES:      Jeffas, Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli  
NAYS:      None  
ABSTAIN: Gonnelli on Fire Department only.  
ABSENT:      None      Motion carried.

**BINGO/RAFFLE APPLICATIONS**

R-1312 SECAUCUS EMERGENCY FUND, INC., On Premise 50/50 June 21, 2014  
R-1313 SECAUCUS EMERGENCY FUND, Inc., On Premise 50/50 various dates  
R-1314 SECAUCUS EMERGENCY FUND,S Inc., On Premise 50/50 various dates

Councilman Clancy moved to approve the three raffle applications, seconded by Councilman Costantino.

AYES:      Jeffas, Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli  
NAYS:      None  
ABSENT:      None      Motion carried.



May 27, 2014

COMMUNICATION S REQUIRING ACTION BY MAYOR AND COUNCIL

- 1) Use of the Swim Center for Cub Scout Pack #87 on August 6, 2014.
- 2) Use of the Swim Center by Secaucus High School on June 10, 2014
- 3) Use of the Swim Center for the ICC Youth Group on June 27, 2014

Councilwoman Pirro moved to approve the foregoing requests, seconded by Councilman Clancy.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli  
NAYS: None  
ABSENT: None Motion carried.

REPORTS AND CORRESPONDENCE REGISTER

Councilman Jeffas approved the Correspondence Register, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Pirro, Clancy, Dehnert, Gonnelli  
NAYS: None  
ABSENT: None Motion carried

Mayor Gonnelli called upon Wayne Sabella and John Voli who gave a presentation on a new system for online registration for the Recreation Department.

COMMITTEE REPORTS

Councilman Jeffas spoke about the retirement of the police chief. He explained what some of the benefits the Chief will receive. He also spoke about the savings that the Town will incur.

Mayor Gonnelli gave his comments on the retirement.

Councilwoman Pirro wished the Chief the best and thanked him for his service to the Town.

Councilman Costantino agreed and also spoke about the savings to the Town.

Councilman Clancy thanked the Chief for his years of service.

Mayor Gonnelli agreed and offered his thoughts and thanked him for his service to the Town.

Councilman Jeffas spoke about the bicycle ordinance update.

Councilman Costantino stated that the Town wide audit has been completed. He explained some of the changes that have been made and stated that he is proud of the way it has developed.

Mayor Gonnelli announced that the audit is published online for residents to see or at the Town Clerk's office.

Councilman Clancy invited residents to the Paterson Plank Road bridge for a dedication.

Councilwoman Pirro thanked the Event's Committee for their work on the Memorial Day Parade. She also spoke about a fund raiser for the Secaucus Animal Shelter.

Councilman Dehnert added thanks for help with the Recreation Department online system. He continued speaking about upcoming events.

Councilman McKeever spoke about upcoming events for Senior Citizens.

Mayor Gonnelli thanked the Event's Committee for the work on the Memorial Day Parade and noted that all the expenses were paid for by sponsors, not taxpayers. He also spoke about events that will be held at the Street Fair.

UNFINISHED BUSINESS

Councilman Jeffas gave updates on the Keystone Property.

May 27, 2014

Mayor Gonnelli noted that residents will get notification from the DEP on the results.

Councilman Jeffas also spoke about upcoming events.

Councilman Costantino spoke about the enforcement of air contamination. He noted that this will result in revenue for the Town.

Councilman Clancy spoke about the Adopt the Clock campaign.

Councilwoman Pirro spoke about the upcoming Street Fair. She also spoke about the upcoming concerts. She mentioned that the Animal Shelter has many cats for adoption.

Councilman McKeever spoke about an upcoming public hearing regarding the Hess Property and the construction of a 65 unit building. He noted that there will be a public hearing regarding this construction on June 3, 2014 at NJMC.

Mayor Gonnelli stated that Hartz Mountain is negotiating with Hess to acquire the property on 10<sup>th</sup> Street to build something similar to Osprey Cove. He also spoke about letters he receives about over development and explained that the Town does not have anything to say about development that comes through the Meadowlands Commission.

#### NEW BUSINESS

Councilman Clancy spoke about a possible invasion of a beetle that could damage hard wood trees. He also noted that he Council meetings will be going to the once a month schedule for the summer.

Councilman Costantino thanked Councilman Dehnert for his leadership at the Recreation Department. He also spoke about the Dunk Tank at the Street Festival and the participants.

Councilwoman Pirro reported that the Town received a \$25,000 clean community grant. She also spoke about a Business Meeting to be held at La Quinta.

Mayor Gonnelli asked that Frances Jodice be reappointed to the Housing Authority.

Councilman Clancy moved to appoint Frances Jodice to the Secaucus Housing Authority, seconded by Councilman Costantino.

AYES: Jeffas, Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli  
NAYS: None  
ABSENT: None Motion carried.

He also spoke about the dedication of the Gandhi Statue at the Recreation Center.

#### REMARKS OF CITIZENS

Tom Troyer  
Gary Pollack

Councilman Clancy moved to adjourn the meeting at 8:17 pm, seconded by Councilman Jeffas.

AYES: Costantino, McKeever, Clancy, Pirro, Dehnert, Gonnelli  
NAYS: None  
ABSENT: Jeffas Motion carried

Michael Marra, Town Clerk

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